

IN THE CLAIMS:

Please cancel claim 32 and amend claim 23, as set forth below in the listing of all claims which are, or were, in the application:

Claims 1-22 (Canceled).

23. (Currently amended) A method of administering a biologically active agent into a human or animal body, wherein said method ~~comprises~~ consists essentially of implanting, injecting, or transmucosally attaching a delivery device, wherein said delivery device comprises a controllably dissolvable silica-xerogel produced by a sol-gel process, and wherein said silica-xerogel contains a biologically active agent, and controllably releasing said biologically active agent at a substantially constant rate by complete dissolution of said silica-xerogel over a desired time period when in contact with body fluid,

wherein release of the biologically active agent from the silica-xerogel is based on said dissolution.

24. (Previously presented) The method of claim 23, wherein the silica-xerogel is a monolith.

25. (Previously presented) The method of claim 23, wherein the silica-xerogel is crushed from a monolith.

26. (Previously presented) The method of claim 23, wherein said biologically active agent has been incorporated into the silica-xerogel structure by mixing said agent with the starting materials for the preparation of said silica-xerogel or by adding said agent to the reaction mixture at the sol-stage of the preparation of said silica-xerogel.

27. (Previously presented) The method of claim 23, wherein said biologically active agent is a medicine, a protein, a hormone, a living cell, a bacteria, a virus, or a part thereof.

28. (Previously presented) The method of claim 27, wherein said biologically active agent is a medicine.

29. (Previously presented) The method of claim 28, wherein said medicine is toremifene or an acid addition salt thereof.

30. (Previously presented) The method of claim 29, wherein said medicine is toremifene citrate.

31. (Previously presented) The method of claim 23, wherein said silica-xerogel comprises elements selected from the group consisting of Na, Ca, P, K, Mg, Cl, Al, B, Ti, Fe, C and any combination thereof.

32. (Canceled).